

REMARKS

Claims 1 - 14 are in the application. All of the claims have been objected to based on inclusion of reference numerals in parentheses. The claims are now amended to remove all reference numerals and parentheses. Claims 1 - 9 and 12 - 14 were rejected under Section 102 based on Subramanian. Further, claims 10 and 11 were rejected under Section 103 based on the combination of Subramanian in view of Yang. Reconsideration of the application is requested in view of the above amendment to the claims as well as the remarks which follow.

Rejection of claims 1 - 9 and 12 - 14 under section 102 is based on claim recitations in the Subramanian reference at Col 5, line 25 through Col. 6, line 20 as well as Col 4, lines 65 - 68. However, the prior art does not at all disclose the combinations claimed by the applicants. For example, with regard to claim 1, the reference does not teach or suggest "photodefining at least one second elongated opening across the at least one trench ..." For purposes of illustration (and without at all limiting the scope of the claimed invention) reference is made to Figures 7 - 9 and the specification at page 5, lines 1 - 23. Note also, the following statement beginning at page 6, line 3 of the specification:

"The slit is preferably transverse and perpendicular to the trench, but it may be any angle so long as the slit is not parallel to the trench."

In contrast, the Subramanian reference does not at all disclose or suggest such a structural arrangement. More specifically, the Subramanian reference does not disclose formation of a contact and via by "photodefining at least one second elongated opening across the at least one trench ..." The same deficiency exists in the rejection of independent claim 13, which also requires "photodefining at least one second elongated opening across the at least one trench ..." Accordingly, the rejection under Section 102 cannot stand.

Independent claim 14 is also patentable over the art of record. For example, none of the art of record, alone or in combination, teaches or suggests

"defining a via or a contact by the intersection of a first elongated opening in a first mask and a second elongated opening in a second mask ..."

The rejection of claims 10 and 11 based on the examiner's combination must also fall based on the deficiencies of the Submaranian reference, as nothing in the Yang reference or any other art of record can possibly compensate for what is lacking in the Submaranian reference. Further, each of the dependent claims recites one or more features which define a new combination which further distinguishes over the prior art. If the examiner disagrees with these distinctions, it is incumbent upon the examiner to demonstrate application of the art with greater specificity. Alternatively, the examiner is encouraged to contact the undersigned if there are any issues which warrant discussion.

Accordingly, allowance of the claims is requested.

Respectfully,

By Ferdinand M. Romano
Ferdinand M. Romano
Reg. No. 32752
(4070 371-3250)

Date: 6/17/05